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NOVEMBER 1, 2018

CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

BY s/ M. Everette DEPUTY

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

In the matter of

RETENTION, REVIEW, AND
DESTRUCTION OF COURT-ORDERED
WIRETAP RECORDS

GENERAL ORDER 18-21

This General Order concerns the retention and court-authorized destruction of wiretap recordings, applications, orders, and related materials pursuant to 18 U.S.C. §2518(8)(a) and (b).

IT IS HEREBY ORDERED:

1. The custodian for all wiretap recordings, as discussed in 18 U.S.C. §2518(8)(a), shall be designated in the sealing order. The United States Attorney’s Office shall identify the proposed custodian of the wiretap recordings in any application for sealing of a wiretap.

2. The custodian for all wiretap files (i.e., applications, orders, and related documents), as discussed in 18 U.S.C. §2518(8)(b), shall be the Clerk of Court.

3. Wiretap recordings and files shall be maintained for ten years from the date the recording was sealed, as required in 18 U.S.C. §2518(8)(a) and (b).

4. When the United States Attorney’s Office submits a motion and proposed order to the Court to destroy a wiretap recording maintained by the designated custodian, the United States Attorney’s Office shall also provide the Court with a notice and proposed order for destruction of the associated wiretap files maintained by the Clerk of Court. The

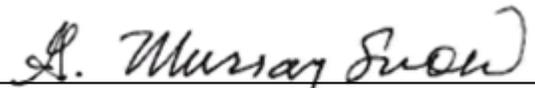
1 motion and notice should address whether: (a) these materials have any remaining
2 evidentiary value; (b) all related prosecutions (including appeals) have terminated; (c) the
3 government has any remaining obligations with respect to the materials; and (d) the
4 materials are pertinent to any case involving the death penalty or high-profile media
5 coverage, or have particular historic, national, or international significance, to the extent
6 the U.S. Attorney's Office has such information.

7 **IT IS FURTHER ORDERED:**

8 5. The Clerk shall annually send an inventory to the U.S. Attorney's Office of
9 all wiretap files retained by the Clerk of Court for more than twelve (12) years from the
10 date the cases were initially sealed by the authorizing judges. The U.S. Attorney's Office
11 must then respond within sixty (60) days to each item in the inventory with either: (a) a
12 notice that the government has no objection to the destruction of the wiretap files that
13 addresses the factors to be considered in authorizing destruction as set forth above, and a
14 proposed order authorizing the destruction of the wiretap recordings and associated files;
15 or (b) a status report explaining why destruction of the files is not appropriate.

16 6. The responses to the inventory from the U.S. Attorney's Office will be sent
17 to the judge who authorized the wiretap or the chief judge if the authorizing judge is no
18 longer available. The chief judge may also designate another district judge to authorize
19 destruction of wiretap recordings and associated files.

20 DATED this 1st day of November, 2018.

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22 G. Murray Snow
23 Chief United States District Judge
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